

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO: 5:06-CR-0290-BR

UNITED STATES OF AMERICA

v.

ROBERT ELWOOD MILLER, JR.

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ORDER

This matter is before the court on defendant's letter filed 28 February 2017. (DE # 34.) Defendant requests that the court release him from incarceration now and eliminate the term of supervised release imposed so that he can remain in Florida where he is currently incarcerated. The court does not have the authority to modify a sentence of imprisonment except under limited circumstances not applicable here. See 18 U.S.C. § 3582(b), (c). A court may terminate a term of supervised release but only after the defendant has served at least one year on supervised release. Id. § 3583(e)(1). Therefore, to the extent defendant's letter could be deemed a motion, it is DENIED.

This 18 April 2017.



W. Earl Britt
Senior U.S. District Judge